

PATENT  
29939/38936B

IN THE UNITED STATES PATENT  
AND TRADEMARK OFFICE

Applicant: CROFT, ET AL.  
Serial No.: 10/725,816  
Filed: DECEMBER 2, 2003  
Title: VERSATILE DOG HOUSE  
Group Art Unit: 3643  
Examiner: NOT YET ASSIGNED

) I hereby certify that this paper is  
) being deposited with the United  
) States Postal Service as first class  
) mail, postage prepaid, in an envelope  
) addressed to: Mail Stop Petition,  
) Commissioner for Patents, P.O. Box  
) 1450, Alexandria, VA 22313-1450,  
) on **December 8, 2004**.

Russell C. Petersen  
Reg. No.: 53,457

**PETITION UNDER 37 C.F.R. §1.47(A) AND  
RESPONSE TO NOTICE OF MISSING PARTS**

Mail Stop Petition  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

This response includes both a Response to a Notice of Missing Parts as well as a Petition and Statement of Facts under the provisions of 37 C.F.R. §1.47(a).

In response to the Notice to File Missing Parts of Application – Filing Date Granted mailed June 8, 2004, Applicant respectfully submits Part 2 Copy of Notice and a Combined Declaration and Power of Attorney. These documents are attached as Exhibits B and C, respectively, to the Statement of Facts. Applicant further submits this Petition to Enter the Declaration Signed on Behalf of a Nonsigning Inventor and a Petition for a Four Month Extension of Time.

The director is authorized to charge \$1850.00 covering the fees set forth in 37 CFR 1.16(e) (\$130.00) and 37 CFR 1.17(a)(1) (\$1590) and 37 CFR 1.17(h) (\$130) to our Deposit Account No. 13-2855, under Order No. 29939/38936B. The Director is further authorized to charge any deficiency in the fees filed, asserted to be filed or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to the same Deposit Account No. 13-2855 and Order No. 29939/38936B. A duplicate copy of this paper is enclosed.

12/14/2004 AWONDAF1 00000021 132855 10725816

03 FC:1463 200.00 DA

Turning now to the Petition, transmitted herewith are inventor declarations executed by joint inventors William Croft, John Vura, and Brian Pleiman for themselves and on behalf of their nonsigning coinventor, Frederick Cruz.

Further submitted herewith is a statement of facts by Russell C. Petersen in which he relates that attempts to secure inventor Cruz's signature on an inventor declaration for the above-identified patent application have been unsuccessful, based upon his firsthand knowledge of such attempts. Mr. Cruz has received a copy of the application as filed as well as the declaration, and has not responded.

On the basis of these facts and for the reasons submitted herewith, it is respectfully requested that the Commissioner accord this application status under 37 C.F.R. §1.47.

Should any questions arise over the form or substance of this petition and attachments, the office is encouraged to contact the undersigned attorney at the telephone number and address listed below.

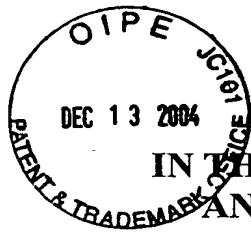
Respectfully submitted for,

MARSHALL, GERSTEIN & BORUN LLP

December 8, 2004

By: 

Russell C. Petersen  
Reg. No.: 53,457  
6300 Sears Tower  
233 South Wacker Drive  
Chicago, Illinois 60606-6402  
(312) 474-6300

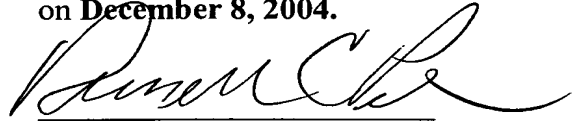


PATENT  
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Applicant: CROFT, ET AL.  
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) 1450, Alexandria, VA 22313-1450,  
) on **December 8, 2004**.

)   
) Russell C. Petersen  
) Reg. No.: 53,457

STATEMENT OF FACTS UNDER 37 C.F.R. §1.47(a)

Mail Stop Petition  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

I, Russell C. Petersen, hereby state as follows:

1. I am authorized by Rubbermaid Incorporated (hereinafter "Rubbermaid"), the assignee of the above-identified patent application (hereinafter "the patent application") to make this statement in my capacity as patent counsel. A copy of an assignment executed by each of the joint inventors, except for Mr. Frederick Cruz, demonstrating that Rubbermaid is the assignee of the patent application is attached hereto as Exhibit A.

2. I received a Notice of Missing Parts with respect to this application bearing a mailing date of June 8, 2004. Part 2 Copy of the Notice is attached as Exhibit B.

3. I make this declaration to provide facts known to me concerning the inability to secure joint inventor Frederick Cruz's signature on a declaration and assignment for the patent application. Mr. Cruz is a coinventor of the patent application. The other coinventors (Mr. Croft, Mr. Vura, and Mr. Pleiman) have executed a declaration and assignment for the patent application for themselves and on behalf of their nonsigning joint inventor, Frederick Cruz. A copy of a declaration signed by each of the joint inventors, except for joint inventor Cruz, is attached hereto as Exhibit C.

4. The last known residential address for joint inventor Frederick Cruz is:

Frederick Cruz  
135 Eyman Drive  
Apple Creek, OH 44606

This address is from the records kept by Rubbermaid. This address is also consistent with an internet search I performed, which is attached as Exhibit D. Please also note on the Exhibit C that an "Amy Cruz" is also listed at the same address. On information and belief, Amy Cruz is Mr. Cruz's wife.

5. On November 4, 2004, I sent a letter enclosing copies of the patent application as filed with the U.S. PTO, a declaration, and an assignment directly to Mr. Cruz's address, for his signature. A copy of the letter dated November 4, 2004 is attached hereto as Exhibit E. This letter was sent by certified mail.

6. In late November, I received a copy of a postcard that indicated that Amy Cruz signed for and received the package containing the declaration and copy of the application on November 24, 2004. A copy of the front side and back side of the postcard is attached as Exhibit F.

7. As of today, I have not received a signed copy of the declaration from Mr. Cruz responsive to this mailing.

8. In a prior attempt to secure Mr. Cruz's signature, I sent a letter with a copy of a declaration and assignment for all inventors' (including Mr. Cruz's) signature to Ms. Lynn Browning of Rubbermaid on August 18, 2004. A copy of this letter is attached as Exhibit G. Upon information and belief, Ms. Browning forwarded this letter including a copy of the declaration and assignment to Mr. Cruz's home.

9. I did not receive a signed a signed copy of the declaration from Mr. Cruz responsive to this mailing, either.

10. Upon information and belief, Mr. Cruz is no longer employed with Rubbermaid, and might no longer feel motivated to provide his signature on the declaration and assignment.

11. I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. §1001 and that such willful false statements may jeopardize the validity of the patent application or any patent issued thereon.

Respectfully submitted for,

MARSHALL, GERSTEIN & BORUN LLP

**December 8, 2004**

By: 

Russell C. Petersen

Reg. No.: 53,457

6300 Sears Tower

233 South Wacker Drive

Chicago, Illinois 60606-6402

(312) 474-6300

# **EXHIBIT A**

## ASSIGNMENT

Serial No: 10/725,816

Filed: December 2, 2003

Title: VERSATILE DOG HOUSE

For \$10.00 (Ten Dollars) and other good and sufficient consideration, the receipt and sufficiency whereof are hereby acknowledged, the undersigned hereby assign to RUBBERMAID, INCORPORATED, 3320 West Market Street, Fairlawn, Ohio 44333 (hereinafter "Assignee"), its successors and assigns, the entire right, title and interest in the invention or improvements of the undersigned disclosed in an application for Letters Patent of the United States, executed by the undersigned on, \_\_\_\_\_ and in said application and any and all other applications, both United States and foreign, which the undersigned may file, either solely or jointly with others, on said invention or improvements, and in any and all Letters Patent of the United States and foreign countries, which may be obtained on any of said applications, and in any reissue or extension thereof.

The undersigned hereby authorize and request the Commissioner of Patents and Trademarks to issue said Letters Patent to said assignee.

The undersigned hereby authorize and request the attorneys of record in said application to insert in this assignment the execution date and/or filing date and serial number of said application when officially known.

The undersigned warrant themselves to be the owners of the interest herein assigned and to have the right to make this assignment and further warrant that there are no outstanding prior assignments, licenses, or other rights in the interest herein assigned.

For said consideration the undersigned hereby agree, upon the request and at the expense of said assignee, its successors and assigns, to execute any and all divisional, continuation, continuation-in-part and substitute applications for said invention or improvements, and any necessary oath or affidavit relating thereto, and any application for the reissue or extension of any Letters Patent that may be granted upon said application, and any and all applications and other documents for Letters Patent in foreign countries on said invention or improvements, that said assignee, its successors or assigns, may deem necessary or expedient, and for the aforesaid consideration the undersigned further agree upon the request of said assignee, its successors or assigns, in the event of any application or Letters Patent assigned herein becoming involved in Interference, to cooperate to the best of the ability of the undersigned with said assignee, its successors or assigns, in the matters of preparing and executing the preliminary statement and giving and producing evidence in support thereof, the undersigned hereby agreeing to perform, upon request, any and all affirmative acts to obtain said Letters Patent, both United States and foreign, and vest all rights therein hereby conveyed in said assignee, its successors and assigns, whereby said Letters Patent will be held and enjoyed by said assignee, its successors and assigns, to the full end of the term for which said Letters Patent may be granted as fully and entirely as the same would have been held and enjoyed by the undersigned if this assignment and sale had not been made.

WITNESS my hand this

26<sup>th</sup> day of August, 2004.

State of

Ohio

County of

Medina

Brian R. Pleiman  
Brian R. Pleiman

On this 26<sup>th</sup> day of August, 2004, before me, a Notary Public in and for the County and State aforesaid, appeared, to me personally known to be the same person whose name is subscribed to the foregoing instrument, and acknowledged that he executed said instrument as his free and voluntary act and for the uses and purposes therein expressed.

WITNESS my hand and seal the same day and year last above given.

**KELLI A. BRIGADOI**  
NOTARY PUBLIC - STATE OF OHIO  
Recorded in Cuyahoga County  
My Comm. Expires Dec. 2, 2004

My Commission Expires:

Kel A Brigadoi  
Notary Public



## ASSIGNMENT

Serial No: 10/725,816

Filed: December 2, 2003

Title: VERSATILE DOG HOUSE

For \$10.00 (Ten Dollars) and other good and sufficient consideration, the receipt and sufficiency whereof are hereby acknowledged, the undersigned hereby assign to RUBBERMAID, INCORPORATED, 3320 West Market Street, Fairlawn, Ohio 44333 (hereinafter "Assignee"), its successors and assigns, the entire right, title and interest in the invention or improvements of the undersigned disclosed in an application for Letters Patent of the United States, executed by the undersigned on, \_\_\_\_\_ and in said application and any and all other applications, both United States and foreign, which the undersigned may file, either solely or jointly with others, on said invention or improvements, and in any and all Letters Patent of the United States and foreign countries, which may be obtained on any of said applications, and in any reissue or extension thereof.

The undersigned hereby authorize and request the Commissioner of Patents and Trademarks to issue said Letters Patent to said assignee.

The undersigned hereby authorize and request the attorneys of record in said application to insert in this assignment the execution date and/or filing date and serial number of said application when officially known.

The undersigned warrant themselves to be the owners of the interest herein assigned and to have the right to make this assignment and further warrant that there are no outstanding prior assignments, licenses, or other rights in the interest herein assigned.

For said consideration the undersigned hereby agree, upon the request and at the expense of said assignee, its successors and assigns, to execute any and all divisional, continuation, continuation-in-part and substitute applications for said invention or improvements, and any necessary oath or affidavit relating thereto, and any application for the reissue or extension of any Letters Patent that may be granted upon said application, and any and all applications and other documents for Letters Patent in foreign countries on said invention or improvements, that said assignee, its successors or assigns, may deem necessary or expedient, and for the aforesaid consideration the undersigned further agree upon the request of said assignee, its successors or assigns, in the event of any application or Letters Patent assigned herein becoming involved in Interference, to cooperate to the best of the ability of the undersigned with said assignee, its successors or assigns, in the matters of preparing and executing the preliminary statement and giving and producing evidence in support thereof, the undersigned hereby agreeing to perform, upon request, any and all affirmative acts to obtain said Letters Patent, both United States and foreign, and vest all rights therein hereby conveyed in said assignee, its successors and assigns, whereby said Letters Patent will be held and enjoyed by said assignee, its successors and assigns, to the full end of the term for which said Letters Patent may be granted as fully and entirely as the same would have been held and enjoyed by the undersigned if this assignment and sale had not been made.

WITNESS my hand this

8 day of Sept, 2004.

State of

NC

County of

Mecklenburg

William Croft

William Croft

On this 9th day of Sept, 2004, William Croft, before me, a Notary Public in and for the County and State aforesaid, appeared, to me personally known to be the same person whose name is subscribed to the foregoing instrument, and acknowledged that he executed said instrument as his free and voluntary act and for the uses and purposes therein expressed.

WITNESS my hand and seal the same day and year last above given.

My Commission Expires:

2-24-08

Patricia Rhummen  
Notary Public

## ASSIGNMENT

Serial No: 10/725,816

Filed: December 2, 2003

Title: VERSATILE DOG HOUSE

For \$10.00 (Ten Dollars) and other good and sufficient consideration, the receipt and sufficiency whereof are hereby acknowledged, the undersigned hereby assign to RUBBERMAID, INCORPORATED, 3320 West Market Street, Fairlawn, Ohio 44333 (hereinafter "Assignee"), its successors and assigns, the entire right, title and interest in the invention or improvements of the undersigned disclosed in an application for Letters Patent of the United States, executed by the undersigned on, \_\_\_\_\_ and in said application and any and all other applications, both United States and foreign, which the undersigned may file, either solely or jointly with others, on said invention or improvements, and in any and all Letters Patent of the United States and foreign countries, which may be obtained on any of said applications, and in any reissue or extension thereof.

The undersigned hereby authorize and request the Commissioner of Patents and Trademarks to issue said Letters Patent to said assignee.

The undersigned hereby authorize and request the attorneys of record in said application to insert in this assignment the execution date and/or filing date and serial number of said application when officially known.

The undersigned warrant themselves to be the owners of the interest herein assigned and to have the right to make this assignment and further warrant that there are no outstanding prior assignments, licenses, or other rights in the interest herein assigned.

For said consideration the undersigned hereby agree, upon the request and at the expense of said assignee, its successors and assigns, to execute any and all divisional, continuation, continuation-in-part and substitute applications for said invention or improvements, and any necessary oath or affidavit relating thereto, and any application for the reissue or extension of any Letters Patent that may be granted upon said application, and any and all applications and other documents for Letters Patent in foreign countries on said invention or improvements, that said assignee, its successors or assigns, may deem necessary or expedient, and for the aforesaid consideration the undersigned further agree upon the request of said assignee, its successors or assigns, in the event of any application or Letters Patent assigned herein becoming involved in Interference, to cooperate to the best of the ability of the undersigned with said assignee, its successors or assigns, in the matters of preparing and executing the preliminary statement and giving and producing evidence in support thereof, the undersigned hereby agreeing to perform, upon request, any and all affirmative acts to obtain said Letters Patent, both United States and foreign, and vest all rights therein hereby conveyed in said assignee, its successors and assigns, whereby said Letters Patent will be held and enjoyed by said assignee, its successors and assigns, to the full end of the term for which said Letters Patent may be granted as fully and entirely as the same would have been held and enjoyed by the undersigned if this assignment and sale had not been made.

WITNESS my hand this

11th day of August, 2004.

State of

County of

Ohio  
Wayne

[Signature] 8/11/04  
John Vura

On this 11th day of August, 2004, before me, a  
Notary Public in and for the County and State aforesaid, appeared, to me personally known to be the same  
person whose name is subscribed to the foregoing instrument, and acknowledged that he executed said  
instrument as his free and voluntary act and for the uses and purposes therein expressed.

WITNESS my hand and seal the same day and year last above given.

My Commission Expires:

**Lynn Browning**  
**Notary Public**  
**In and for the State of Ohio**  
**My Commission Expires**  
**August 17, 2008**

[Signature]  
Notary Public

# **EXHIBIT B**



## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
 Address: COMMISSIONER FOR PATENTS  
 P.O. Box 1450  
 Alexandria, Virginia 22313-1450  
 www.uspto.gov

APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/725,816	12/02/2003	Kenneth W. Hull	29939/38936B

04743  
 MARSHALL, GERSTEIN & BORUN LLP  
 6300 SEARS TOWER  
 233 S. WACKER DRIVE  
 CHICAGO, IL 60606



CONFIRMATION NO. 3611

## FORMALITIES LETTER



\*OC000000012894312\*

Date Mailed: 06/08/2004

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted***Items Required To Avoid Abandonment:**

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

The application is informal since it does not comply with the regulations for the reason(s) indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Replacement drawings in compliance with 37 CFR 1.84 and 37 CFR 1.121 are required. The drawings submitted are not acceptable because:
  - The drawings must be reasonably free from erasures and must be free from alterations, overwriting, interlineations, folds, and copy marks. See Figure(s) 9,16,24.

**SUMMARY OF FEES DUE:**

Total additional fee(s) required for this application is **\$130** for a Large Entity

- **\$130** Late oath or declaration Surcharge.

12/14/2004 AWONDAF1 00000021 132855 10725816

02 FC:1051 130.00 DA

Replies should be mailed to: Mail Stop Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria VA 22313-1450

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*A copy of this notice MUST be returned with the reply.*

  
\_\_\_\_\_

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

# **EXHIBIT C**



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

DECLARATION FOR PATENT APPLICATION

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am an original, first and joint inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled:

VERSATILE DOG HOUSE

the specification of which was filed on December 2, 2003 as Application No. 10/725,816.

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by an amendment, if any, specifically referred to herein.

I acknowledge the duty to disclose all information known to me that is material to patentability in accordance with Title 37, Code of Federal Regulations, § 1.56.

FOREIGN PRIORITY CLAIM

I hereby claim foreign priority benefits under Title 35, United States Code § 119(a)-(d) of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

☒ no such foreign applications have been filed

☐ such foreign application have been filed as follows:

**EARLIEST FOREIGN APPLICATION(S), IF ANY FILED WITHIN 12 MONTHS  
(6 MONTHS FOR DESIGN) PRIOR TO THIS U.S. APPLICATION**

Application Number	Country	Date of Filing (dd/mm/yyyy)	Priority Claimed Under 35 USC 119
			___ Yes No ___
			___ Yes No ___
			___ Yes No ___

**ALL FOREIGN APPLICATION(S), IF ANY FILED MORE THAN 12 MONTHS  
(6 MONTHS FOR DESIGN) PRIOR TO THIS U.S. APPLICATION**

Application Number	Country	Date of Filing (dd/mm/yyyy)

**CLAIM FOR BENEFIT OF EARLIER U.S. PROVISIONAL APPLICATIONS**

I hereby claim priority benefits under Title 35, United States Code §119(e), of any United States provisional patent application(s) listed below:

- ☐ no such U.S. provisional applications have been filed.
- ☒ such U.S. provisional application have been filed as follows:

Application Number	Date of Filing (dd/mm/yyyy)	Priority Claimed Under 35 USC 119
60/430,109	02-Dec-2002	<u>X</u> Yes No ___
		___ Yes No ___
		___ Yes No ___

**CLAIM FOR BENEFIT OF EARLIER U.S./PCT APPLICATION(S)**

I hereby claim the benefit under Title 35, United States Code, §120 of the United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose all information that is material to patentability in accordance with Title 37, Code of Federal

Regulations, §1.56 which became available to me between the filing date of the prior application and the national or PCT international filing date of this application:

☒ no such U.S./PCT applications have been filed.

☐ such U.S./PCT application have been filed as follows:

Application Number	Date of Filing (dd/mm/yyyy)

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

I hereby appoint:

All practitioners at Customer Number 04743

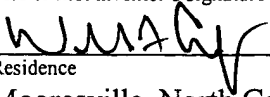
all of **MARSHALL, GERSTEIN & BORUN LLP**, 233 S. Wacker Drive, Suite 6300, Sears Tower, Chicago, Illinois 60606-6357, jointly, and each of them severally, my attorneys at law/patent agent(s), with full power of substitution, delegation and revocation, to prosecute this application, to make alterations and amendments therein, to receive the patent, and to transact all business in the U. S. Patent and Trademark Office connected therewith.

Please mail all correspondence to Bryan J. Lempia, whose address is:

**MARSHALL, GERSTEIN & BORUN LLP**  
233 S. Wacker Drive, Suite 6300  
Sears Tower  
Chicago, Illinois 60606-6357

Please direct telephone calls to: Bryan J. Lempia at (312) 474-6300.

Please direct facsimiles to: (312) 474-0448

Full name of sole or first inventor <b>William Croft</b>	
Sole or first inventor's signature 	Date <b>9.8.04</b>
Residence <b>Mooreville, North Carolina</b>	
Citizenship <b>US</b>	
Mailing Address  <b>302 Brook Glen Mooreville, North Carolina 28115</b>	


Full name of second inventor, if any <b>Frederick Cruz</b>	
Second inventor's signature	Date
Residence <b>Apple Creek, Ohio</b>	
Citizenship <b>US</b>	
Mailing Address  <b>135 Eyman Drive Apple Creek, Ohio 44606</b>	

Full name of third inventor, if any <b>John Vura</b>	
Third inventor's signature	Date
Residence <b>Wooster, Ohio</b>	
Citizenship <b>US</b>	
Mailing Address  <b>3387 Tamarack Lane Wooster, Ohio 44691</b>	

Full name of fifth inventor, if any <b>Brian R. Pleiman</b>	
Fifth inventor's signature	Date
Residence <b>Medina, Ohio</b>	
Citizenship <b>US</b>	
Mailing Address  <b>1122 Bristol Lane Medina, Ohio 44256</b>	

Full name of sole or first inventor <b>William Croft</b>	
Sole or first inventor's signature	Date
Residence <b>Mooresville, North Carolina</b>	
Citizenship <b>US</b>	
Mailing Address  <b>302 Brook Glen Mooresville, North Carolina 28115</b>	

Full name of second inventor, if any <b>Frederick Cruz</b>	
Second inventor's signature	Date
Residence <b>Apple Creek, Ohio</b>	
Citizenship <b>US</b>	
Mailing Address  <b>135 Eyman Drive Apple Creek, Ohio 44606</b>	

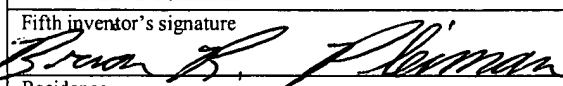
Full name of third inventor, if any <b>John Vura</b>	
Third inventor's signature 	Date <b>8-27-04</b>
Residence <b>Wooster, Ohio</b>	
Citizenship <b>US</b>	
Mailing Address  <b>3387 Tamarack Lane Wooster, Ohio 44691</b>	

Full name of fifth inventor, if any <b>Brian R. Pleiman</b>	
Fifth inventor's signature	Date
Residence <b>Medina, Ohio</b>	
Citizenship <b>US</b>	
Mailing Address  <b>1122 Bristol Lane Medina, Ohio 44256</b>	

Full name of sole or first inventor <b>William Croft</b>	
Sole or first inventor's signature	Date
Residence <b>Mooresville, North Carolina</b>	
Citizenship <b>US</b>	
Mailing Address  <b>302 Brook Glen Mooresville, North Carolina 28115</b>	

Full name of second inventor, if any <b>Frederick Cruz</b>	
Second inventor's signature	Date
Residence <b>Apple Creek, Ohio</b>	
Citizenship <b>US</b>	
Mailing Address  <b>135 Eyman Drive Apple Creek, Ohio 44606</b>	

Full name of third inventor, if any <b>John Vura</b>	
Third inventor's signature	Date
Residence <b>Wooster, Ohio</b>	
Citizenship <b>US</b>	
Mailing Address  <b>3387 Tamarack Lane Wooster, Ohio 44691</b>	

Full name of fifth inventor, if any <b>Brian R. Pleiman</b>	
Fifth inventor's signature 	Date <b>8-26-04</b>
Residence <b>Medina, Ohio</b>	
Citizenship <b>US</b>	
Mailing Address  <b>1122 Bristol Lane Medina, Ohio 44256</b>	

# **EXHIBIT D**


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# **EXHIBIT E**

**MARSHALL, GERSTEIN & BORUN LLP**

ATTORNEYS-AT-LAW

Russell C. Petersen  
Associate  
rpetersen@marshallip.com

November 4, 2004

Frederick Cruz  
135 Eyman Drive  
Apple Creek, OH 44066

Re: U.S. Patent Application No. 10/725,816  
Title: Versatile Dog House  
Inventors: Croft, et al.  
Our Ref.: 29939/38936B

Dear Mr. Cruz:

Enclosed you will find a copy of a declaration and an assignment for your signature in connection with the above-referenced patent application. Also please find a copy of the patent application as filed in the U.S. Patent and Trademark Office. Please sign and date the declaration where indicated. By signing and dating the declaration, you are swearing that you believe that you are a joint inventor of the subject matter disclosed and claimed in the patent application.

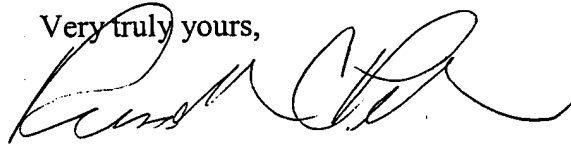
Also enclosed you will find a copy of an assignment. Again, please sign and date this document. By signing the assignment, you are assigning the rights to any patent granted on this disclosure to Rubbermaid. Because this document can be confusing, I have included an example that illustrates how the assignment should be filled out. If possible, please complete the assignment in the presence of a notary.

MARSHALL, GERSTEIN & BORUN LLP

Frederick Cruz  
November 4, 2004  
Page 2

Your kind attention to this matter is greatly appreciated. Please return the fully executed documents to us at your earliest convenience. For your convenience, we have included a self-addressed, stamped envelope. If you have any questions I would be happy to speak with you. Please contact me directly at (312) 474-6644.

Very truly yours,

A handwritten signature in black ink, appearing to read 'Russell C. Petersen', written in a cursive style.

Russell C. Petersen

RCP

Enclosure

cc: Lynn Browning (w/o enc.)  
James P. Zeller (w/o enc.)  
Bryan J. Lempia (w/o enc.)

# **EXHIBIT F**

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# **EXHIBIT G**

**MARSHALL, GERSTEIN & BORUN LLP**

ATTORNEYS - AT - LAW

Russell C. Petersen  
Associate  
rpetersen@marshallip.com

August 18, 2004

Ms. Lynn Browning  
Legal Assistant  
Rubbermaid Home Products Division  
1147 Akron Road  
Wooster, Ohio 44691

Re: U. S. Patent Application Serial No. 10/725,816  
Based on U.S. Provisional Patent Application No. 60/430,109  
Title: "Versatile Dog House"  
Inventors: William Croft, et al.  
Our Reference: 29939/38936B

Dear Lynn:

Enclosed please find a copy of Declaration and Assignment documents prepared for execution by the inventors. These documents reflect the corrected inventorship. I already have Mr. Vura's signature on an assignment, but it is necessary to have him sign the new declaration, as the list of inventors has changed. Once the inventors have signed the documents and their signatures on the Assignment have been notarized, please return the executed documents to us at your earliest convenience. If any of the addresses need to be changed, the inventors may hand write the correct address, and *initial the corrected address*.

I appreciate your help in this matter. If you have any questions please do not hesitate to contact me.

Very truly yours,



Russell C. Petersen

RCP/mkg

Enclosures



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